

*(note: As of 1 October 1997 the International Training Detachment (ITD) of the Naval Justice School became the Defense Institute for International Legal Studies. It is still physically located at the Naval Justice School in Newport, RI)*

Television's *JAG* capitalizes on the American fascination with both lawyers and adventure. The show, which is seen in the United States as well as other countries, depicts military lawyers saving the world from a variety of threats--terrorists, malevolent dictators, as well as a host of would be villains who threaten world order and the security of the United States. Although *JAG* may feature plots that are hard to imagine as plausible, there are JAGs who have a mission that is far removed from the traditional role of the military lawyer. Beginning in 1992, military lawyers from each of the uniformed military services ventured into developing nations in which the "rule of law" is often tenuous and sometimes non-existent. These JAGs have presented seminars in 61 different nations since 1992. At times their missions have involved threats from terrorists, civil war, and insurrection. More often these legal teams were faced with foods of dubious origin, disease, contaminated drinking water, and a grueling travel schedule. While the major reason for being in a country is to present subject matter, every member of the Mobile Education Team (MET) also tries to build personal relationships in countries in which language, gestures, and conduct could easily be misinterpreted.

The Naval Justice School in Newport, RI took the lead in developing this program which has become the most successful program under the Expanded International Military Education and Training (EIMET) initiative launched by Congress in 1991. Responding to a world which had changed dramatically in a few years, the United States Government had to initiate new relationships with the many emerging democracies which included former Soviet countries, ex-dictatorships, and countries which were redefining themselves. The foreign militaries, in particular, presented challenges including:

- Ill defined military justice systems - often mixed with the civilian legal system
- Use of corporal punishment as the preferred method of discipline
- Horrendous records of human rights abuses
- A need to redefine the historic relationships between the military and the civilian population

As democracy spread as the preferred method of governance in these developing countries, EIMET was devised to address the challenges.

The Naval Justice School International Training Department began building a program that would address three basic goals of EIMET:

- Creating understanding and fostering civilian control of the military
- Improving military justice systems
- Fostering human rights principles

In true entrepreneurial fashion, the Department was initiated with one officer and no dedicated support staff. Never having been involved in the training of international students proved to be both a blessing and a burden. Starting with a survey visit to Guatemala in July 1992, a system evolved which was both minimalist and flexible. Instead of a large permanent staff, a core group of officers, military lawyers, would serve as country coordinators. The country coordinator was then responsible for:

- Communicating with the host nation, embassy personnel, and the Navy Education and Training Security Assistance Field Activity (NETSAFA)
- Developing a curriculum
- Preparing the course in both English and in the language of the host country
- Selecting a team
- Carrying the equipment such as translation gear, projection systems, computer, overhead,

needed to instruct a different country

- Teaching as many as six different subjects
- Coordinating social events
- Undertaking everything and anything that was needed to successfully accomplish the goals of EIMET.

In 1993 the International Training Department became the International Training Detachment (ITD) with a core staff which by 1994 consisted of five military lawyers – two from the Navy and one each from the Air Force, Marines, and Army –and a civilian support staff consisting of a curriculum developer and a secretary.

While the detailed planning prior to the seminar involves few legal matters, the ability to organize and relate to people are key factors in the eventual success of the METs. A MET consists of three to five members who are selected because of the unique skills and background they possess. JAGs from the various services' JAG schools, line officers, non-commissioned officers, military and civilian lawyers, judges, and investigators have all been team members. The team may be located in or out of CONUS. Attempting to carry out a mission in a distant land with a team which is widely scattered creates many problems which could be "show stoppers." Passports and visas need to be obtained for countries that sometimes rarely see Americans. Arrangements need to be made for travel to out of the way places that are served by airlines with names unknown to frequent flyers. Itineraries of team members have to be matched to be sure that the team and all of its equipment arrive in ample time to recover from jet lag and set up for the busy week or weeks ahead. Usually, the teams travel to a major city to present the seminar. Many countries lack a satisfactory transportation infrastructure, however, making it more expedient to send the team into the countryside, rather than bring 40-60 participants into the city. This, of course, further complicates the presentation of the seminar..

*Semper Gumbi* might best be selected as the motto of ITD if one considers the many twists which have happened that have made even the best made plans come apart. Consider these travel misadventures:

- All of the translated teaching materials and translation gear needed to communicate lost in transit on the way to the seminar
- Weather delaying the arrival of all but one member of the teaching team until after the scheduled seminar start
- Flying to a remote location on a helicopter which is overloaded with people, equipment, and farm animals
- Customs officials who demand a bribe before admitting the team into the host country
- Translation equipment being held at customs, because customs officials believe it may be “spy” equipment
- Frequent bouts of a variety of travelers ailments

Once the MET has arrived in-country, the challenge of conducting a seminar with an audience that speaks another language begins. It would be easy to stand and lecture to the audience and then return to the United States, but real dialogue can not happen unless difficult subjects - human rights, legal systems, disciplinary techniques, rules of engagement, and others - are addressed. The topics have already been mutually decided upon in the early phases of planning which happen well before the actual seminar. Throughout the process of curriculum development, the host country has had a voice in determining the content of the seminar. In this way, there is a sense of ownership and partnership that will set the tone. To involve the audience as participants, discussion problems are used. The team breaks the seminar participants into small groups. Each group is then assigned a “real” life problem based on subject matter presented in the seminar, and customized to the specific problems confronting

the country. These discussion groups often present an opportunity for members of the society – military and civilian – to seek solutions in a non-threatening arena. The US team has several advantages in situations like this. First, there is a degree of trust because military personnel are presenting ideas to their fellow military members. As outsiders, the team can provide a forum that would not otherwise be available for persons with varying viewpoints in a country. Most important, the audience senses the prestige and power of the United States demonstrated in an exchange of ideas between the team and the participants.

The audience varies greatly from country to country. Although designed for 40-60 participants, it is not unusual for the room to be filled to capacity and overflowing. In one eastern European country, 96 participants, mostly civilian, crowded the room, because this was the first US sponsored program in their country since the demise of Communism. In Asia, an all military audience of 85 including 12 generals, participated in the seminar. ITD was then invited to present the same seminar in every province and has since returned 14 times. Non-governmental organizations often participate, both as part of the audience and as co-presenters. Local television and press frequently cover the opening and closing ceremonies. ITD teams have been on news shows in every continent, made the headlines in half a dozen languages, and taken part in impromptu discussions on everything from US policy to the oddities of our culture. The formal aspects of the seminars usually involve the Minister of Defense and the US Ambassador. But, on several occasions, the President of a country or the Prime Minister has been present to say a few words, present graduation certificates, and lend even greater significance to the program.

Perhaps, more important are the personal contacts which are made. Discussion of topics continues well after the official daily conclusion of class. Students stay late and arrive early. Lunch time is a continuation of class. Any one who has traveled with a team has been awed by the hospitality and friendship of their hosts. Evenings might involve a dinner in a restaurant, a night at the sauna, a hunting expedition, a site-seeing tour, or an officially sanctioned banquet.

But, even these informal events are opportunities for continued discussion. Team members are often invited to visit the families of participants with whom friendships have developed. In one country, the visiting team was invited to a wedding. Friendships continue long after the conclusion of the seminars through email and letters. While at these unofficial events, the teams have found that the interest in topics raised during the seminars has caused greater curiosity in possible solutions, opened communications within the host country, and enhanced the image of the United States.

A major goal of the program is to have the seminars become annual events. Starting with the phase1 survey, emphasis is placed on developing new methods of assistance. At the conclusion of a seminar, the topic is "what topics should be included in the *next* seminar?" Twenty-six of the countries who participated in FY 97 were hosting phase 4 or later seminars. Most of these seminars were for two week periods. An initial seminar offers topics that are more general, such as Military Justice, Law of Armed Conflict, Administrative Measures, and Nonjudicial Punishment. These topics are usually aimed at mid grade and higher ranking officers and civilians involved with the military. Later seminars are focused on a more specific audience, such as lawyers and judges or one military group such as air force commanders. Team makeup also changes for these seminars. General officers, senior judges, and civilian homicide detectives have all been members of such teams. Several countries have hosted eight or more seminars.

On October 1, 1997, the International Training Detachment became the Defense Institute for International Legal Studies. This name change represents recognition of the hard work by the military members and civilian support staff, as well as acceptance of the subject matter and the techniques used over the past five years in establishing a new program. As of 30 September, 61 nations had taken part in this program. A total audience of 7,900 has participated, one fourth of which were civilians. Has the program had an impact? Consider the following

comments:

“We don’t normally report on all the military programs and visits that take place in Ulaanbaatar, but the just finished IMET funded program was too good to keep to ourselves. The team of four lawyers from the International Training Division at the Naval Justice School...spent four days working closely with an enthusiastic and appreciative group of over 40 Mongolian lawyers and judges, both civilian and military.”

US Embassy Ulaanbaatar, Mongolia

“The Albanian Armed Forces are confronted by immense change, the most complex portions of which are neither tactical nor strategic, but rather philosophical. Indeed Clausewitz noted that an army is most susceptible to change when it is not in transition.

The Albanian Armed Forces are a case in point. The exposure to new concepts, values, and most important, people, is of inestimable value,...ITDs contributions apropos the modernizing of our legal codes, have been without parallel.” Ministry of Defense, Albania

“At times during the six months of preparation for this seminar, we asked ourselves if it would turn out to be worth the effort and whether the subject matter would be appropriate and well-received. The answer is a resounding “yes” on both counts.

Perhaps the greatest benefit was to bring nationwide positive attention to the military and security forces, elements of Central African society which are largely overlooked except when they are blamed for indiscipline and heavy-handedness.” US Embassy Bangui, Central African Republic

Perhaps none of the real JAGs will ever make television, but the impact that this program is having exemplify the highest ideals envisioned by the EIMET program. Who knows, maybe there will be a plot or two, which could make the show. Now, if they can only find a suitable role for me, my acting career will be launched!